

APPLICANTS' INTERVIEW SUMMARY

On June 18, 2004, the Applicants' attorney Aaron M. Peters (Reg. No. 48,801) conducted a telephonic interview with Examiner Crystal J. Barnes in which independent claims 1 and 25 were discussed. During that interview Examiner Barnes indicated that the final rejections against claims 1 and 25, and all claims dependent thereon, would be withdrawn based on remarks presented during the interview.

The Examiner agreed during the interview that Meyer et al. does not disclose or suggest automatically generating an order to take a corrective measure in response to a detected problem and communicating the order. While Meyer et al. discloses a machine control unit (4) which classifies a malfunction to establish maintenance needs and transmits signals to a process control computer (3) (Col. 5, ln. 65 to col. 6, ln. 30), neither the information generated by the machine control unit (4) nor the information transmitted to the process control computer (3) is an order relating to taking one or more corrective measures to solve a problem. Further, a signal sent by the process control computer (3) to a maintenance specialist or operator (Col. 6, ll. 31-41) is not an order relating to taking one or more corrective measures to solve a problem.

In particular, the Examiner agreed that the information generated by the machine control unit (4) is not an order relating to one or more corrective measures to solve a problem. The machine control unit (4) of Meyer et al. classifies a malfunction and identifies maintenance needs (e.g., intervention, check and maintenance work). (Col. 5, ln. 62 to col. 6, ln. 16). The machine control unit (4) does not further generate an order relating to the corrective measures needed to solve the problem as recited by claims 1-46, such as ordering parts or creating a work order for maintenance personnel. Although the machine control unit (4) transmits signals (e.g., operator, maintenance specialist, high priority, medium priority, low priority) to a process control computer (3) (Col. 6, ll. 17-30), these signals do not indicate or relate to measures that may be taken to solve the problem. For example, a signal indicating operator, high priority does not indicate the nature of the problem. An operator would still be tasked with the responsibility of determining the problem and determining appropriate corrective measures to solve the problem. Thus, the Examiner and the Applicants' attorney agreed that Meyer et al. does not disclose or suggest an order as recited by claims 1-46.

Further, the Examiner agreed that the call to a maintenance specialist or operator by the process control computer (3) is not an order, such as a work order, related to corrective measures to solve the problem as recited by claims 1-46. Although a person may be called to a malfunctioning machine (1) by the process control computer (3) via an alarm transmitter (7) (Col. 6, ll. 31-41), the call merely alerts an appropriate personnel to the malfunctioning machine (1). Once at the malfunctioning machine (1), the person is still tasked with the responsibility of determining the nature of the malfunction (e.g., which component is malfunctioning) and of determining the corrective measures required to solve the malfunction, based on data provided at the machine (1) through a display (6). The call itself does not relate to taking corrective measures to solve the particular malfunction, and therefore is not an order as recited by claims 1-46. As such, the Examiner and the Applicants' attorney agreed that Meyer et al. does not disclose or suggest an order as recited by claims 1-46.

The Applicants gratefully appreciate the Examiner's indicated withdrawal of the final rejections, and respectfully submit that the application is in condition for allowance. Although the Examiner indicated during the interview that a further search may be conducted, the Applicants respectfully refer the examiner to MPEP 706.07 which reads:

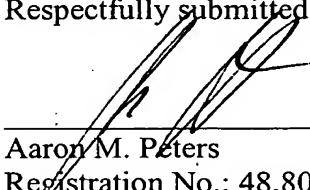
"[t]o bring the prosecution to as speedy conclusion as possible and at the same time to deal justly by both the applicant and the public, the invention as disclosed and claimed should be thoroughly searched in the first action and the references fully applied; ... Switching ... from one set of references to another by the examiner in rejecting in successive actions claims of substantially the same subject matter, will alike tend to defeat attaining the goal of reaching a clearly defined issue for an early termination, i.e., either an allowance of the application or a final rejection. ... [I]t is to the interest of the applicants as a class as well as to that of the public that prosecution of an application be confined to as few actions as is consistent with a thorough consideration of its merits."

The Applicants respectfully point out that the claims are of substantially the same subject matter as originally filed. None of the claims have been currently amended, and only claims 10 and 25 have been previously amended to correct for grammatical and typographical mistakes. As such, the Applicants believe no further search is necessary and submit that independent claims 1 and 25 are in allowable form. Further, dependent claims 2-24 and 26-

46, which are dependent upon the aforementioned independent claims are also submitted to be in allowable form. Should the Examiner wish to discuss the foregoing, or any matter of form, in an effort to advance this application towards allowance, the Examiner is urged to telephone the undersigned at the indicated number.

Respectfully submitted,

By:


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June 22, 2004